

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CASE NO. 05-10059-DPW

UNITED STATES

VS.

CHAD BENJAMIN

MOTION TO SUPPRESS PHYSICAL AND EVIDENCE

Now comes the defendant, Chad Benjamin, in the above numbered indictments and moves this Court for an order suppressing for use in evidence all physical evidence obtained by law enforcement personnel pursuant to a warrantless search of his person on December 16, 2004.

The defendant avers that his arrest and all evidence obtained by the police is a product of said illegal stop and warrantless search that was unreasonable and in contravention of his rights secured him under the Fourth and Fourteenth Amendments to the United States Constitution as well as the laws interpreting the same.

WHEREFORE in consideration of the foregoing as well as the affidavit of the defendant and memorandum of law submitted herewith the defendant requests that this Court grant the relief requested.

Chad Benjamin,
By his attorney

/s/ Kevin J. Reddington, Esq.